

**IN THE CLAIMS:**

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~striketrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please CANCEL claims 2, 15, 53-60 and 67 in accordance with the following:

1. (PREVIOUSLY PRESENTED) A recording medium for use with a recording and/or reproducing apparatus, the recording medium comprising:

a record layer comprising a lead-in area, a data area, and a lead-out area;

a defect management area in at least one of the lead-in area and/or the lead-out area;

and

a temporary defect management area in at least one of the lead-in area and/or- the lead-out area and which includes temporary defect information and temporary defect management information used by the recording and/or reproducing apparatus in performing defect management,

wherein the temporary defect management information includes an address of a last recorded unit of user data in the data area.

2. (CANCELED)

3. (PREVIOUSLY PRESENTED) The recording medium of claim 1, wherein the temporary defect management information further includes write protect information of the recording medium and/or location information of a test area of the recording medium.

4. (PREVIOUSLY PRESENTED) The recording medium of claim 3, wherein:  
the data is written to the data area in discrete recording operations, and  
the write protect information is recorded for each of the recording operations.

5. (PREVIOUSLY PRESENTED) The recording medium of claim 1, further comprising a drive & disc information area in at least one of the lead-in area and/or lead-out area and which

includes information regarding locations of the temporary defect information and the temporary defect management information used by the recording and/or reproducing apparatus in performing defect management.

6. (PREVIOUSLY PRESENTED) The recording medium of claim 1, wherein the temporary defect information and the temporary defect management information are recorded in each recording operation in which data is recorded in the data area.

7. (PREVIOUSLY PRESENTED) The recording medium of claim 1, further comprising a plurality of at least one of the defect management area and/or the temporary defect management area.

8. (PREVIOUSLY PRESENTED) The recording medium of claim 1, wherein the address of the last recorded unit of the user data comprises a physical sector number of the last physical sector in the data area recorded with the user data.

9. (PREVIOUSLY PRESENTED) The recording medium of claim 1, wherein the temporary defect management information further includes an address of a last recorded unit of replacement data which was recorded in a spare area of the recording medium to replace a defective area of the recording medium.

10-13. (CANCELLED)

14. (PREVIOUSLY PRESENTED) A recording and/or reproducing apparatus for use with a recording medium, the apparatus comprising:

a recording/reading unit that records and/or reads data with respect to the recording medium; and

a controller that controls the recording/reading unit to:

record information regarding a defect in a data area of the recording medium, as temporary defect information in a temporary defect management area of the recording medium; and

record management information for managing the temporary defect information as temporary defect management information in the temporary defect management area, the

management information including an address of a last recorded unit of user data in the data area.

15. (CANCELED)

16. (ORIGINAL) The recording and/or reproducing apparatus of claim 14, wherein the controller controls the recording/reading unit to record the data in the data area in discrete recording operations, and to record the temporary defect information and the temporary defect management information for each of the recording operations.

17. (ORIGINAL) The recording and/or reproducing apparatus of claim 14, wherein the controller controls the recording/reading unit to record the data in the data area in discrete recording operations, and to record the temporary defect management information to include test location information and write protect information for each of the recording operations.

18-49. (CANCELLED)

50. (PREVIOUSLY PRESENTED) The recording medium of claim 1, wherein the recording medium is a write once disc.

51. (PREVIOUSLY PRESENTED) The recording medium of claim 1, wherein the temporary defect management information further includes position information of a replacement area in a spare area of the recording medium to be next recorded.

52. (PREVIOUSLY PRESENTED) The recording medium of claim 51, wherein the position information of the replacement area comprises a physical sector number of a next usable spare cluster in the spare area.

53-60. (CANCELED)

61. (PREVIOUSLY PRESENTED) The recording and/or reproducing apparatus of claim 14, wherein the recording medium is a write once disc.

62. (PREVIOUSLY PRESENTED) The recording and/or reproducing apparatus of claim 14, wherein the controller controls the recording/reading unit to record the management information to further include an address of a last recorded unit of replacement data which was recorded in a spare area of the recording medium to replace a defective area of the recording medium.

63. (PREVIOUSLY PRESENTED) The recording and/or reproducing apparatus of claim 14, wherein the controller controls the recording/reading unit to record the management information to further include position information of a replacement area in a spare area of the recording medium to be next recorded.

64. (PREVIOUSLY PRESENTED) The recording and/or reproducing apparatus of claim 63, wherein the position information of the replacement area comprises a physical sector number of a next usable spare cluster in the spare area

65. (PREVIOUSLY PRESENTED) The recording and/or reproducing apparatus of claim 14, wherein the controller controls the recording/reading unit to record a last recorded temporary defect information and temporary defect management information, which are lastly recorded in the temporary defect management area, in a defect management area of the recording medium during finalization of the recording medium.

66. (CURRENTLY AMENDED) A reproducing apparatus for use with a recording medium, the apparatus comprising:

- a reading unit that reads data with respect to the recording medium; and

- a controller that controls the reading unit to:

- read information regarding a defect in a data area of the recording medium, as temporary defect information in a temporary defect management area of the recording medium, and

- read management information for managing the temporary defect information as temporary defect management information in the temporary defect management area, the management information including an address of a last recorded unit of user data in the data area of the recording medium.

67. (CANCELED)

68-71. (CANCELED)